

1
2 MR. PURICELLI: Well,
3 that's legal argument, Randy, I believe.
4 You see how lawyers
5 battle.

6 BY MR. PURICELLI:

7 Q. So you're the supervisor. You
8 know what your responsibilities are under the
9 FRs and the ARs and all the others that go
10 down the line.

11 Right?

12 A. Yes, sir.

13 Q. And you're looking at a single
14 document turned into you at the end of an
15 investigation and you've seen no other
16 documents other than the one Newtown showed
17 you in this entire investigation.

18 Correct?

19 A. I believe that's correct.

20 Q. Okay. All right. And did you
21 see any document that questioned the
22 jurisdiction, asked you, your department, not
23 you, personally, your department to
24 investigate jurisdictional rights of a
25 department.

STEVEN J. IGNATZ

2 A. No, sir.

3 Q. Just whether there was a report.

4 A. That's right.

5 Q. Okay. So why would jurisdiction
6 even be a topic of discussion?

7 A. I just thought it was of
8 interest, you know, of all the counties
9 involved. I think it was Tioga County and
10 Luzerne County. And I'm not sure if it's
11 Bucks County that Newtown is in. I can't
12 recall. But to me it seemed like a stretch.

13 Q. Were you aware that Captain Hill
14 on or about July 31, 2007 specifically
15 referenced your investigation in a letter
16 sent to Detective Bush?

17 A. Yes.

18 Q. Okay. And how did you become
19 aware of that?

20 A. I believe -- I believe we got a
21 copy of the letter at CLEAN. I believe it
22 was attached to the report.

23 - - -

24 (Exhibit Ignatz-3, marked
25 for identification.)

2

- - -

3 BY MR. PURICELLI:

4 Q. Okay. I'm showing you a document
5 we've marked Ignatz-3, a July 31, 2007 dated
6 correspondence on Pennsylvania State Police
7 letterhead. A two-paged document.

8 Did I describe this
9 accurately, Lieutenant?

10 A. Yes, sir.

11 Q. Okay. Appears to be signed by a
12 Captain Kenneth F. Hill on the second page?

13 A. Yes, sir.

14 Q. Do you know that to be Captain
15 Hill's signature or not?

16 A. I do not. No, sir.

17 Q. Okay. Is this the document that
18 you were referring to in your testimony of a
19 letter being attached to the report?

20 A. I believe it is, sir.

21 Q. Okay. And it's your testimony
22 that you never talked to Captain Hill?

23 A. First time I talked to Captain
24 Hill, I believe, was when we met in
25 Harrisburg in preparation for this lawsuit

2 some months ago.

3 Q. Okay. That's fair.

4 So just so that the record
5 is clear, that means you never met Captain
6 Hill or talked to him about your
7 investigation, your CLEAN investigation of
8 Newtown Township before July 31, 2007.

9 A. I believe that's accurate.

10 Q. Okay. Now, in his third
11 paragraph down, approximately, third sentence
12 he writes you made a CLEAN NCI entry,
13 referring to Detective Bush, for your brother
14 when your department did not have
15 jurisdiction in the case.

16 Do you see that?

17 A. Yes, sir.

18 Q. Did you ever tell anybody in the
19 Pennsylvania State Police, including Captain
20 Hill, before July 31, 2007 that you had
21 concluded that Newtown Township did not have
22 jurisdiction to make that CLEAN entry?

23 That CLEAN entry being the
24 missing child report that we talked under
25 2908.

2 A. Right.

3 The only person I recall
4 ever discussing anything about jurisdiction
5 with was, as I said before, Lieutenant Hile
6 and Trooper Fultz. Other than that, I don't
7 remember ever talking to Captain Hill before.

8 Q. Okay. Now, Hile is the commander
9 of Troop F.

10 Correct?

11 A. I'm not sure what his position is
12 now.

13 Q. Okay. Pennsylvania State Police,
14 just for quick, tell me if I'm wrong, okay,
15 has commanders of stations. They're usually
16 lieutenants.

17 Correct?

18 A. Sergeants or lieutenants --

19 Q. Right.

20 A. -- generally.

21 Q. Generally, lieutenants. Sergeant
22 sometimes --

23 A. Correct.

24 Q. -- takes care of a station.

25 Correct?

2 A. Generally it's the lieutenants.

3 And the number of stations usually take up an
4 area where a captain would look over them.

5 Is that correct?

6 A. Correct.

7 Q. And in this case we have a letter
8 from a captain.

9 Correct?

10 A. Correct.

11 Q. And the letter purports to be
12 from captain of Troop F, correct, in
13 Montoursville?

14 A. Correct.

15 Q. Okay. And Lieutenant Hile was
16 where?

17 Troop F, what station?

18 A. I believe he was the staff
19 services commander.

20 Q. Assigned to which station?

21 A. Troop F. I'm sorry.

22 Q. Which --

23 MR. HENZES: He was
24 assigned to the whole troop.

25 THE WITNESS: Yeah. It's

2 a troop wide position.

3 MR. HENZES: It's

4 Montoursville.

5 BY MR. PURICELLI:

6 Q. He has an office.

7 Doesn't he?

8 A. Yes, sir.

9 Q. What's the name of the barracks?

10 A. I believe it's the Montoursville
11 headquarters.

12 MR. PURICELLI: Do you
13 mind if I do my record?

14 MR. HENZES: Well, you
15 were asking if he was a station
16 commander. He wasn't a station
17 commander.

18 Had you asked him do you
19 know where his office was located, that
20 would have been a better question.

21 MR. PURICELLI: I did
22 finally get around to that.

23 MR. HENZES: Yeah.

24 BY MR. PURICELLI:

25 Q. Okay. Now, do you know whether

2 or not Captain Hill ever spoke with Hile?

3 A. I don't know that.

4 Q. Okay. Did Hile tell you anything
5 in your conversation with him to lead you to
6 believe he was going pass the information on
7 that you told him to Captain Hill?

8 A. I don't recall that happening,
9 sir.

10 Q. But you emphatically did not tell
11 Captain -- or Lieutenant Hile that
12 Christopher Bush or his police department
13 didn't have jurisdiction to enter that CLEAN
14 entry.

15 Is that true?

16 A. I believe our discussion was -- I
17 believe that is true, but I believe our
18 discussion was we weren't there looking at
19 jurisdiction. It was an issue of CLEAN
20 requirements.

21 Q. Okay. And in your recollection
22 of the conversation with Hile is there
23 anything that you said or can recall from
24 that conversation to cause you to testify
25 today that you caused Hile to believe your

2 investigation, one, dealt with jurisdiction
3 and, two, found or concluded Newtown lacked
4 that jurisdiction? Including the officer.

5 A. No.

6 Q. Thank you.

7 So would it be fair from
8 your view of your investigation that sentence
9 I read was untrue?

10 A. Which sentence was that, sir?

11 Q. You made a CLEAN entry, meaning
12 Christopher Bush made a CLEAN entry for your
13 brother, meaning Christopher Bush's brother,
14 for your department, meaning Newtown
15 Township, did not have jurisdiction in the
16 case.

17 A. No. I'm not -- I don't have a
18 judgment whether that was accurate or not
19 because I didn't make a judgment on
20 jurisdiction.

21 Q. Just based on your investigation
22 and your facts --

23 MR. HENZES: He answered
24 your question.

25

2 BY MR. PURICELLI:

3 Q. Based on your investigation is
4 that statement true based on your
5 investigation?

6 A. I believe that to be accurate.

7 Q. Do you?

8 A. Yes.

9 Q. Well, based on what?

10 A. Just my knowledge of the case.

11 Q. I'm not asking about that. Based
12 on your investigation.

13 Tell me --

14 MR. HENZES: Wait. You
15 asked him -- you asked him is that
16 statement true?

17 He said yes.

18 You said, what do you base
19 it on?

20 He says his knowledge of
21 the case.

22 BY MR. PURICELLI:

23 Q. Okay. My question to you
24 originally -- if you want me to read it
25 back -- was your investigation. Not your

2 knowledge of the case.

3 A. I'm sorry.

4 Q. Okay. Since we're splitting
5 hairs here.

6 A. That's what it is.

7 Q. Uh-huh.

8 A. I'm having trouble
9 differentiating it.

10 Q. I'm asking based on what you know
11 factually from what you saw and did based on
12 what you're supposed to do.

13 A. From what I saw and did --

14 Q. Uh-huh.

15 A. -- I think we didn't make a
16 judgment on the jurisdiction.

17 Q. Lieutenant, I just want a
18 straightforward answer.

19 A. I'm trying to think how to say it
20 accurately.

21 Q. I'll keep asking. So you might
22 as well.

23 A. I honestly don't have the
24 information. In our CLEAN investigation we
25 didn't look at jurisdiction. So I cannot say

2 whether that's accurate or inaccurate.

3 Q. Based on your investigation can
4 you tell me based on your investigation what
5 you knew, okay, how that's true?

6 MR. HENZES: He said it
7 wasn't true or not true.

8 MR. PURICELLI: Well, I'm
9 splitting hairs for him.

10 BY MR. PURICELLI:

11 Q. Now I'm going to say tell me how
12 it is true based on your investigation.

13 A. I just do not think that, relying
14 on the Municipal Police Jurisdiction Act,
15 they had jurisdiction.

16 Q. Okay. And you were never looking
17 at that particular aspect.

18 Were you?

19 A. No.

20 Q. You were just looking about
21 whether they could or couldn't put a CLEAN
22 entry in there.

23 Correct?

24 A. That's right.

25 Q. And isn't that what that sentence

2 is saying; you couldn't put it in CLEAN?

3 A. That's what that's saying.

4 Q. And he could.

5 Couldn't he?

6 Under the law, Christopher
7 Bush, a detective from Newtown Township could
8 make that entry.

9 True?

10 A. I think there's conflicting laws.

11 Q. Well, we went over the law.

12 A. I realize that --

13 Q. Didn't we?

14 A. -- but I think they conflict.

15 Q. Do I have to go over it again?

16 A. No.

17 Q. Didn't we agree 2908 --

18 MR. HENZES: Did you ever
19 show him 2908?

20 MR. PURICELLI: I offered
21 it to him.

22 MR. HENZES: Well, show it
23 to him.

24 BY MR. PURICELLI:

25 Q. Do you want to see it?

2 A. May I?

3 Q. Sure.

4 You did testify you
5 reviewed this before today.

6 A. It doesn't say any law
7 enforcement.

8 Q. What does it say in 2908 in the
9 beginning, duties of law enforcement?

10 MR. HENZES: Investigate a
11 report.

12 Show us where you quote it
13 saying any law enforcement person.

14 Where does it say in the
15 statute that any law enforcement?

16 MR. PURICELLI: I'm not
17 here to be deposed. He is.

18 MR. HENZES: Well, no.
19 You made that comment to him.

20 MR. PURICELLI: You can
21 clean up anything you want, Randy.

22 - - -

23 (Exhibit Ignatz-4, marked
24 for identification.)

25 - - -